

APR 23 2007

**Amendment and Response**

Applicant: Alan C. Berkema et al.

Serial No.: 09/897,656

Filed: June 29, 2001

Docket No.: 10016784-1

Title: PORTABLE WIRELESS DEVICE AND SOFTWARE FOR PRINTING BY REFERENCE**REMARKS**

The following Remarks are made in response to the Non-Final Office Action mailed January 23, 2007, in which claims 4, 5, 10-12, 15, 18-20, 22, 32-34, and 37-45 were rejected.

With this Amendment, claim 4 has been cancelled without prejudice, claims 46 and 47 have been added, and claims 5, 15, 18, 19, 32, 37, 38, 40, 41, and 43 have been amended to clarify Applicant's invention.

Claims 5, 10-12, 15, 18-20, 22, 32-34, and 37-47, therefore, remain pending in the application and are presented for reconsideration and allowance.

**Claim Rejections under 35 U.S.C. § 103**

Claims 4, 19, 32-34, 40, and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeBry US Patent No. 6,385,728 in view of Naoaki US Publication No. 2002/0076051.

Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over DeBry US Patent No. 6,385,728 in view of Naoaki US Publication No. 2002/0076051, and further in view of Larsson WO 0142894.

Claims 41 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeBry US Patent No. 6,385,728 in view of Naoaki US Publication No. 2002/0076051, and further in view of Manglapus US Patent No. 6,219,151.

With this Amendment, independent claim 4 has been cancelled without prejudice, and dependent claims 15, 40, and 41 have been amended to depend directly or indirectly from independent claim 5. In addition, independent claim 19 has been rewritten in dependent form and amended to depend from independent claim 18. The rejections of claims 4, 15, 19, 40, and 41 under 35 U.S.C. 103(a), therefore, are rendered moot.

With this Amendment, independent claim 32 has been amended to clarify that portable wireless device includes "a processor coupled to the communication interface, the processor being adapted to cause the communication interface to wirelessly communicate a reference to the print device, wherein the reference identifies a location of a print content of a content provider on a network and a location of a print service on the network," wherein "the print service is distinct from the content provider, and the location of the print service is distinct from a location of the print device," wherein "the print device is adapted to supply the

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reference to the print service," and wherein "the print service is adapted to retrieve the print content of the content provider from the network and format the print content for printing by the print device."

With respect to the DeBry, Naoaki, Larsson, and Manglapus references, Applicant submits these references, individually or in combination, and do not teach or suggest a portable wireless device as claimed in independent claim 32.

In view of the above, Applicant submits that independent claim 32, and the dependent claims depending therefrom, are each patentably distinct from the DeBry, Naoaki, Larsson, and Manglapus references and, therefore, are each in a condition for allowance. Applicant, therefore, respectfully requests that the rejections of claims 4, 19, 32-34, 40, 44, 15, 41, and 45 under 35 U.S.C. 103(a) be reconsidered and withdrawn, and that claims 15, 19, 32-34, 40, 41, 44, 45, and 46 be allowed.

Claims 5, 18, and 37-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Larsson WO 0142894 in view of Woo US Patent No. 6,336,074.

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Larsson WO 0142894 in view of Woo US Patent No. 6,336,074, and further in view of Hicks US Patent No. 7,086,001.

Claims 10-12 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Larsson WO 0142894 in view of Woo US Patent No. 6,336,074, and further in view of DeBry US Patent No. 6,385,728.

Claims 22 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Larsson WO 0142894 in view of Woo US Patent No. 6,336,074, and further in view of Ferlitsch US Publication No. 2002/0114004.

With this Amendment, independent claim 5 has been amended to clarify that the computer readable code causes the computer to "wirelessly communicate a reference to a print device, the reference identifying a location at which a print content of a content provider is located on a network and a location of a print service located on the network," wherein "the print service is distinct from the content provider, and the location of the print service is distinct from a location of the print device," wherein "the print device is adapted to supply the reference to the print service," and wherein "the print service is adapted to retrieve the print

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content of the content provider from the network and format the retrieved print content for printing by the print device."

With this Amendment, independent claim 18 has been amended to clarify that "the information added to the reference comprises a locator, the locator identifying a location of a print service located on the network," wherein "the print service is distinct from the content provider, and the location of the print service is distinct from a location of the print device," and wherein "the print service is adapted to format the print content for printing by the print device."

With this Amendment, independent claim 37 has been amended to clarify that portable wireless device includes "a first communication interface adapted to enable both first communication between the portable wireless device and a content provider, and second communication between the portable wireless device and a remote print service, wherein the remote print service is distinct from the content provider, and the second communication is distinct from the first communication;" "a second communication interface adapted to enable wireless communication between the portable wireless device and a print device, wherein the print device is distinct from the remote print service;" and "a processor coupled to the first communication interface, the processor being adapted to cause the first communication interface to communicate a reference that identifies a location of a print content of the content provider to the remote print service," wherein "the reference causes the remote print service to retrieve the print content of the content provider from a network, format the print content for printing, and transmit the print content of the content provider to the portable wireless device."

With respect to the Larsson, Woo, Hicks, DeBry, and Ferlitsch references, Applicant submits these references, individually or in combination, do not teach or suggest a computer program product comprising a computer readable code as claimed in independent claim 5, do not teach or suggest a computer program product comprising a computer readable code as claimed in independent claim 18, and do not teach or suggest a portable wireless device as claimed in independent claim 37.

In view of the above, Applicant submits that independent claims 5, 18, and 37, and the dependent claims depending therefrom, are each patentably distinct from the Larsson, Woo, Hicks, DeBry, and Ferlitsch references and, therefore, are each in a condition for

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allowance. Applicant, therefore, respectfully requests that the rejections of claims 5, 18, 37-39, 20, 10-12, 42, 22, and 43 under 35 U.S.C. 103(a) be reconsidered and withdrawn, and that claims 5, 10-12, 18, 20, 22, 37-39, 42, 43, and 47 be allowed.

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In view of the above, Applicant respectfully submits that pending claims 5, 10-12, 15, 18-20, 22, 32-34, and 37-47 are all in a condition for allowance and requests reconsideration of the application and allowance of all pending claims.

Any inquiry regarding this Amendment and Response should be directed to either Nathan R. Rieth at Telephone No. (208) 396-5287, Facsimile No. (208) 396-3958 or Scott A. Lund at Telephone No. (612) 573-2006, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

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**CERTIFICATE UNDER 37 C.F.R. 1.8:** The undersigned hereby certifies that this paper or papers, as described herein, are being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300 on this 23<sup>rd</sup> day of April, 2007.

By

Name: Scott A. Lund